IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.37951 of 2008
JIBACHH RAI, S/o. Late Medani Rai,
r/o. village Fafout, P.S. Khodawanpur, Distt- Begusarai.
----- Petitioner.
Versus
THE STATE OF BIHAR --- O.P.
---

2 23.10.2008 The F.I.R. was lodged under Section 21 & 22 of the N.D.P.S. Act with the allegation that on raid 200 gms. of Ganja was recovered from the kitchen of the petitioner.

Learned counsel for the petitioner submits that the petitioner is in custody since 28.07.2008. Learned counsel submits that in the table appended to the N.D.P.S. Act 1 Kg. of Ganja has been described as small quantity. Learned counsel further refers to Section 21(A) of the N.D.P.S. Act and submits that under this provision of law the punishment for possessing small quantity of such drug is up to six months only. Learned counsel continues to submit that the recovered quantity is much below, rather a small fraction of small quantity as described under the N.D.P.S. Act.

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Mr. S.R. Haque, the learned Addl.P.P. does not point out any other material against the petitioner.

In the facts and circumstances of the case, the

petitioner named above is admitted to bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the Sessions Judge, Begusarai in connection with Khodawanpur P.S. Case No.84 of 2008.

Mkr. **(C.M. Prasad, J.)**

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